

**Giselle Lantigua**

From: taa6540@aol.com
Sent: Monday, June 04, 2007 4:40 PM
To: juantomas.emmanuelli@cemex.com.pr
Cc: ramiro.lozano@cemex.com.pr; glantigua@benningtongrp.com
Subject: Pending situation with Mr. Barsotelli

Dear Juan:

Thank you for taking the time to try to resolve the problems pertaining to the AWMR goods stolen from CEMEX Ponce premises by Mr. Ignacio Barsotelli, President of Yo Limpio Puerto Rico and owner of Canopy Ecoterra. As you know, we have expended our best efforts to cooperate with CEMEX such that this matter does not adversely impact your company or any officer in your company.

We are pleased to know that CEMEX is happy with the work being conducted by AWMR at the plant in Ponce, with reference to dismantling and removal of structures as scrap metal. Despite the CEMEX Ponce plant not having been ready for the work we are doing at the site, and the resulting delays and increases in costs and expenditures to AWMR in the last three months, we have continued to work with CEMEX to ensure that the project is completed successfully. We have incurred expenses of over \$300,000 in keeping the project going while having removed less than 500 tons of metal to date.

During the shut down, we had hoped to work faster and accomplish more. Though this was again not possible due to prevailing conditions, our engineers and CEMEX engineers have continued to work together to facilitate a more productive operation with reference to AWMR's work at the site. We sincerely appreciate the efforts expended by your management and engineers in addressing our concerns.

Unfortunately, this new incident with Mr. Barsotelli has added to our burdens in more ways than one. First and foremost, as discussed during our meeting on Friday, we have a scheduled delivery of copper to a key customer that we are now forced to default on. Secondly, Mr. Barsotelli waited until some of the most valuable items were harvested and stored in locked containers, prior to making off with them without authorization. As you know, the items were harvested by AWMR's workers and the cost for this work was borne by AWMR. Third, Mr. Barsotelli continues to mislead and lie to CEMEX management in stating that he has not been paid. He was paid in advance and our contract with him does not require additional payment until the deposit has been fully accounted for in scrap metal shipments. And last, Mr. Barsotelli misrepresented facts to CEMEX in removing the containers themselves and has made repeated promises that he has no intention of keeping. Mr. Barsotelli also alleges that AWMR may not complete the work at CEMEX, and therefore will not release the stolen goods to us until the end of the project. His allegation has no basis or foundation as AWMR has completed other work in Puerto Rico where there was no non-ferrous metal obtained; AWMR's reputation depends entirely on our completing the work we commit to; and to date, we have shown nothing but goodwill. Furthermore, our contract with Mr. Barsotelli does not stipulate that certain metals may not be removed until the project is concluded. Therefore, he has no legal or other claim that can be substantiated.

While we value our work at the CEMEX Ponce plant and would like to continue our work and finish the project, we feel that we are unfairly burdened as our expenses continue to increase and we are now subject to the theft of the items that are of great value. In addition, as a result of this situation, we are also likely to suffer irreparable harm to our reputation as a supplier. We have held back in filing

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criminal complaints and pursuing this matter with all the resources available to us, primarily to ensure that CEMEX is not affected adversely. On the other hand, Mr. Barsotelli has shown little concern for the impact on CEMEX or on the project itself. We cannot continue to take the brunt of this matter, especially since we are to make a scheduled delivery to the mainland of the items stolen by Mr. Barsotelli.

Therefore, we request that you inform us as to whether Mr. Barsotelli has any genuine intent to resolve this matter and make good on his word to you, or whether we should pursue criminal and legal action against him. We are completely baffled at his behavior and can only surmise that financial gain is the primary reason he has chosen this course of action. Nevertheless, we need to file a complaint against him tomorrow morning in order to take the next steps in bringing him to account for stealing our goods.

We regret if this situation created by Mr. Barsotelli has put you in an embarrassing position. Unfortunately, we need a resolution for this matter and request that you advise us as to what our next course of action should be. Thank you once again for your time and efforts.

Sincerely,

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